



## Child Care and Pandemic Unemployment Assistance (PUA): Frequently Asked Questions

On August 27, 2020, the U.S. Department of Labor (DOL) issued guidance to states to further clarify the PUA eligibility of individuals who are caregivers and affected by schools reopening ([Program Letter 16-20, Change 3](#)). This guidance also addresses the intersection of PUA with paid leave made available through the federal Families First Coronavirus Response Act.

**IMPORTANT NOTE:** The PUA program was designed to be a *program of last resort*. This means that individuals who are eligible for traditional unemployment benefits, Pandemic Emergency Unemployment Compensation or Federal-State Extended Benefits are not eligible for PUA. If you earned at least \$269 a week in your most recent employment and worked 20 weeks or more in the last year, you must apply for traditional unemployment benefits and receive a determination of eligibility/ineligibility before applying for PUA.

- 1. I am a primary caregiver, and my child is required by the school to attend class remotely as a direct result of the COVID-19 public health emergency. My employer is providing paid leave while I stay home to care for my child. Am I eligible for PUA?**

No. Federal law states that individuals are not eligible for PUA if they (1) can telework with pay, or (2) are receiving paid sick leave or other paid leave benefits.

For more information about paid leave eligibility, please visit <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>.

- 2. I am not able to telework with pay or receive paid leave, and I am a primary caregiver. My child's school is requiring all students to work remotely. Am I eligible for PUA benefits?**

Yes. The DOL guidance states: "when the school system is only providing online instruction, it is not open for students to be physically present at the school, and therefore is considered closed under section 2102(a)(3)(A)(ii)(I)(dd) of the CARES Act."

3. **I am permitted to work from home, but my child needs so much help with online school that I am unable to work. Am I eligible for PUA?**

Yes. If you are your child's primary caregiver, if you are unable or unavailable for work, and if are not receiving any teleworking pay or paid leave, you are eligible for PUA benefits for each week that remote schooling is in effect.

4. **My school decided to take a "hybrid" approach. My child will attend school in person three days a week and remotely two days a week, and I am the primary caregiver. Am I eligible for PUA?**

Yes. If you are unable or unavailable for work and are not receiving any teleworking pay or paid leave, you are eligible for PUA benefits for each week that hybrid schooling is in effect.

5. **My school decided to take a "hybrid" approach. I am a primary caregiver of a child who will attend school in person three days a week and remotely two days a week. I work a reduced schedule on the days that my child attends school in person. Am I eligible for PUA?**

Yes, but you must report all earnings each week, and those earnings will be deducted from your PUA benefits. Failure to report earnings may result in an overpayment and/or penalties for fraud.

6. **My school is giving families the option of remote or in-person school. I don't want to send my child to in-person classes, and I am the primary caregiver. If I stay home, I won't be able to work. Am I eligible for PUA?**

Maybe. If you meet one or more of the [PUA eligibility requirements](#) allowed by the CARES Act, such as being advised by a health care professional to self-quarantine due to concerns related to COVID-19, then you may be eligible for PUA. If you do not meet one of the [PUA eligibility requirements](#), and you have the option to send your child to school in person but choose not to do so, then you are not eligible for PUA.